

EXHIBIT 1

7-26-17
DL

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF New York

Frederick G. Brown

Plaintiff/Petitioner,

- against -

Index No. 190195-17

Amchem Products, Inc.

Defendant/Respondent.

**NOTICE OF COMMENCEMENT OF ACTION
SUBJECT TO MANDATORY ELECTRONIC FILING**

PLEASE TAKE NOTICE that the matter captioned above, which has been commenced by the filing of the accompanying documents with the County Clerk via the New York State Courts Electronic Filing System ("NYSCEF"), is subject to mandatory electronic filing pursuant to Section 202.5-bb of the Uniform Rules for the Trial Courts. This notice is being served as required by Subdivision (b) (3) of that Section.

Counsel and/or parties must either: 1) immediately record their representation within the e-filed matter on the Consent/Represent page in NYSCEF; or 2) file the Notice of Opt-Out form to claim one of the limited exemptions from mandatory e-filing (see below). Failure to record representation may result in an inability to receive electronic notice of any document filings. Claiming an exemption will require the exempt party to serve and be served with hard copy documents.

Counsel and unrepresented parties who intend to participate in e-filing must first create a NYSCEF account and obtain a user ID and password. For additional information about electronic filing, and to create a NYSCEF account, visit the NYSCEF website at www.nycourts.gov/efile or contact the NYSCEF Resource Center (phone: 646-386-3033; e-mail: efile@nycourts.gov; mailing address: 60 Centre Street, New York, New York 10007).

Exemptions from mandatory e-filing (Section 202.5-bb(e)) are limited to:

- 1) attorneys who certify in good faith that they lack the computer hardware and/or scanner and/or internet connection or that they lack (along with all employees subject to their direction) the operational knowledge to comply with e-filing requirements; and
- 2) parties who expect to represent themselves and who choose not to participate in e-filing. (Such parties are encouraged to visit www.nycourthelp.gov or contact the Help Center in the court where the action is pending.)

Dated: 7/17/17

(Signature) _____ (Address)

(Name) _____

(Firm Name) _____ (Phone)

To: All Defendants _____ (E-Mail)

on attached

Rider

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X Index No.: 190195-17
FREDERICK G. BROWN and DIANA BROWN,

Date Filed: 7/7/17

Plaintiff(s),

Plaintiff Designates

-against-

NEW YORK

County as the Place of Trial

AMCHEM PRODUCTS, INC.,
n/k/a RHONE POULENC AG COMPANY,
n/k/a BAYER CROPSCIENCE INC.,
AMERICAN BILTRITE INC.,
AURORA PUMP COMPANY,
BIRD INCORPORATED,
BLACKMER,
BW/IP, INC. AND ITS WHOLLY OWNED SUBSIDIARIES,
CBS CORPORATION, f/k/a VIACOM INC.,
successor by merger to
CBS CORPORATION, f/k/a
WESTINGHOUSE ELECTRIC CORPORATION,
CERTAINTIED CORPORATION,
CLEAVER BROOKS COMPANY, INC.,
DAP, INC.,
EATON CORPORATION, as successor -in-interest to
CUTLER-HAMMER, INC.,
FORD MOTOR COMPANY,
FOSTER WHEELER, L.L.C.,
GARDNER DENVER, INC.,
GENERAL ELECTRIC COMPANY,
GEORGIA PACIFIC LLC.,
GOODYEAR CANADA, INC.,
GOULD PUMPS LLC,
HONEYWELL INTERNATIONAL, INC.,
f/k/a ALLIED SIGNAL, INC. / BENDIX,
IMO INDUSTRIES, INC.,
KARNAK CORPORATION,
LEVITON MANUFACTURING CO., INC.,
OWENS-ILLINOIS, INC.,
PFIZER, INC. (PFIZER),
THE GOODYEAR TIRE AND RUBBER COMPANY,
U.S. RUBBER COMPANY (UNIROYAL),
UNION CARBIDE CORPORATION,
WARREN PUMPS, LLC,

The Basis of Venue is
Defendants' Place of Business

SUMMONS

Defendants.

-----X
To the above named Defendant(s)

FILED: NEW YORK COUNTY CLERK 07/07/2017 11:14 AM

INDEX NO. 190195/2017

NYSCEF DOC. NO. 1

RECEIVED NYSCEF: 07/07/2017

You are hereby summoned to answer the **verified** complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's Attorney(s) within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated, July 07, 2017
New York, New York

Defendant's address:

SEE ATTACHED DEFENDANTS RIDER

WEITZ & LUXENBERG, P.C.
Attorney(s) for Plaintiff
Post Office Address
700 Broadway
New York, New York 10003
(212) 558-5500

DEFENDANTS' RIDER

AMCHEM PRODUCTS, INC.,
n/k/a RHONE POULENC AG COMPANY,
n/k/a BAYER CROPSCIENCE INC.

41 State Street
Albany, NY 11207

AMERICAN BILTRITE INC.
57 River Street

Wellsley Hills, MA 02181

AURORA PUMP COMPANY
Kevin Keyes
13320-A Ballantyne Corporate Place
Charlotte, NC 28277

BIRD INCORPORATED
CT Corporation Systems
111 Eighth Avenue
New York, NY 10011

BLACKMER
1809 Century Avenue SW
Grand Rapids, MI 49503-1530

BW/IP, INC. AND ITS WHOLLY OWNED SUBSIDIARIES
5215 North O'Conner Blvd
Suite 2300
Irving, TX 75039

CBS CORPORATION, f/k/a VIACOM INC.,
successor by merger to
CBS CORPORATION, f/k/a
WESTINGHOUSE ELECTRIC CORPORATION
Asbestos Litigation Support Manager
ECKERT SEAMANS CHERIN & MELLOTT, LLC
Case Management & Technology Center
USX Towers
600 Grant Street
Pittsburgh, PA 15219

CERTAINTED CORPORATION
CT Corporation System
111 8th Avenue
New York, NY 10011

CLEAVER BROOKS COMPANY, INC.
11950 W. Lake Park Drive
Milwaukee, WI 53224

DAP, INC.

The Prentice-Hall Corporation System Maryland
7 St. Paul Street, Suite 1600

Baltimore, MD 21202

**EATON CORPORATION, as successor -in-interest to
CUTLER-HAMMER, INC.**

CT Corporation System
111 8th Avenue
New York, NY 10011

FORD MOTOR COMPANY

CT Corporation Systems
111 8th Avenue
New York, NY 10011

FOSTER WHEELER, L.L.C.

Route 173 at Frontage Road
Clinton, NJ 08809

GARDNER DENVER, INC.

1800 Gardner Expressway
Quincy, IL 62301

GENERAL ELECTRIC COMPANY

Electric Insurance Company
75 Sam Fonzo Drive
Beverly, MA 01915

GEORGIA PACIFIC LLC.

CT Corporation Systems
111 8th Avenue
New York, NY 10011

GOODYEAR CANADA, INC.

450 Kipling Avenue
Atobicoke, Ontario CANADA M8ZSE1

GOULD PUMPS LLC

240 Falls Street
Seneca Falls, NY 13148

**HONEYWELL INTERNATIONAL, INC.,
f/k/a ALLIED SIGNAL, INC. / BENDIX**

115 Tabor Road
Morris Plains, NJ 07950

IMO INDUSTRIES, INC.,

CT Corporation
1209 Orange Street
Wilmington, DE 19801

KARNAK CORPORATION

330 Central Avenue
Clark, NJ 07066

LEVITON MANUFACTURING CO., INC.

201 North Service Road
Melville, NY 11747

OWENS-ILLINOIS, INC.

One Michael Owens Way
Perrysburg, OH 43551

PFIZER, INC. (PFIZER)

CT Corporation Systems
111 8th Avenue
New York, NY 10011

THE GOODYEAR TIRE AND RUBBER COMPANY

Corporation Service Company
80 State Street
Albany, NY 12207

U.S. RUBBER COMPANY (UNIROYAL)

Greenfield, Stein & Senior
(Agent for Service of Process)
600 Third Avenue, 11th Floor
New York, NY 10016-1903

UNION CARBIDE CORPORATION

CT Corporation Systems
111 8th Avenue
New York, NY 10011

WARREN PUMPS, LLC

CT Corporation
1209 Orange Street
Wilmington, DE 19801

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X
FREDERICK G. BROWN and DIANA BROWN,

Index No.:

Date Filed:

Plaintiff(s),

-against-

AMCHEM PRODUCTS, INC.,
n/k/a RHONE POULENC AG COMPANY,
n/k/a BAYER CROSCIENCE INC.,
AMERICAN BILTRITE INC.,
AURORA PUMP COMPANY,
BIRD INCORPORATED,
BLACKMER,
BW/IP, INC. AND ITS WHOLLY OWNED SUBSIDIARIES,
CBS CORPORATION, f/k/a VIACOM INC.,
successor by merger to
CBS CORPORATION, f/k/a
WESTINGHOUSE ELECTRIC CORPORATION,
CERTAINTIED CORPORATION,
CLEAVER BROOKS COMPANY, INC.,
DAP, INC.,
EATON CORPORATION, as successor -in-interest to
CUTLER-HAMMER, INC.,
FORD MOTOR COMPANY,
FOSTER WHEELER, L.L.C.,
GARDNER DENVER, INC.,
GENERAL ELECTRIC COMPANY,
GEORGIA PACIFIC LLC,
GOODYEAR CANADA, INC.,
GOULD PUMPS LLC,
HONEYWELL INTERNATIONAL, INC.,
f/k/a ALLIED SIGNAL, INC. / BENDIX,
IMO INDUSTRIES, INC.,
KARNAK CORPORATION,
LEVITON MANUFACTURING CO., INC.,
OWENS-ILLINOIS, INC.,
PFIZER, INC. (PFIZER),
THE GOODYEAR TIRE AND RUBBER COMPANY,
U.S. RUBBER COMPANY (UNIROYAL),
UNION CARBIDE CORPORATION,
WARREN PUMPS, LLC,

**VERIFIED
COMPLAINT**

**PLAINTIFF DEMANDS
TRIAL BY JURY**

Defendants.

-----X

Plaintiff(s), FREDERICK G. BROWN and DIANA BROWN, by their attorneys WEITZ & LUXENBERG, P.C., upon information and belief, at all times hereinafter mentioned alleges as follows:

1. Plaintiff(s), FREDERICK G. BROWN and DIANA BROWN, by their attorneys, WEITZ & LUXENBERG, P.C., for their **verified complaint** respectfully alleges:
2. Defendant AMERICAN BILTRITE INC., was and still is a duly organized domestic corporation doing business in the State of New York.
3. Defendant AURORA PUMP COMPANY, was and still is a duly organized domestic corporation doing business in the State of New York.
4. Defendant BIRD INCORPORATED, was and still is a duly organized domestic corporation doing business in the State of New York.
5. Defendant BLACKMER, was and still is a duly organized domestic corporation doing business in the State of New York.
6. Defendant BW/IP, INC. AND ITS WHOLLY OWNED SUBSIDIARIES, was and still is a duly organized domestic corporation doing business in the State of New York.
7. Defendant DAP, INC., was and still is a duly organized domestic corporation doing business in the State of New York.
8. Defendant EATON CORPORATION, as successor -in-interest to CUTLER-HAMMER, INC., was and still is a duly organized domestic corporation doing business in the State of New York.
9. Defendant GARDNER DENVER, INC., was and still is a duly organized domestic corporation doing business in the State of New York.
10. Defendant GEORGIA PACIFIC LLC., was and still is a duly organized domestic corporation doing business in the State of New York.

11. Defendant IMO INDUSTRIES, INC., was and still is a duly organized domestic corporation doing business in the State of New York.

12. Defendant KARNAK CORPORATION, was and still is a duly organized domestic corporation doing business in the State of New York.

13. Defendant LEVITON MANUFACTURING CO., INC., was and still is a duly organized domestic corporation doing business in the State of New York.

14. Defendant WARREN PUMPS, LLC, was and still is a duly organized domestic corporation doing business in the State of New York.

Plaintiff(s), FREDERICK G. BROWN and DIANA BROWN, repeats and realleges NYAL - WEITZ & LUXENBERG, P.C. STANDARD ASBESTOS COMPLAINT FOR PERSONAL INJURY No. 7 as if fully incorporated herein as it pertains to the defendants in the aforementioned caption.

Dated: *July 07, 2017*
New York, New York

Yours, etc.,

WEITZ & LUXENBERG, P.C

Attorneys for Plaintiff(s)
700 Broadway
New York, NY 10003
(212) 558-5500

STATE OF NEW YORK)

SS:

COUNTY OF NEW YORK)

The undersigned, an attorney admitted to practice in the Courts of New York State,
shows:

Deponent is an Associate of the firm WEITZ & LUXENBERG, P.C., Counsel for the
plaintiff(s) in the within action; deponent has read the foregoing **summons and verified
complaint** and knows the contents thereof; the same is true to deponent's own knowledge, except
as to the matters therein stated to be alleged on information and belief, and that as to those
matters deponent believes it to be true. This verification is made by deponent and not by
plaintiff(s) because plaintiff(s) resides outside of the County of New York where plaintiffs'
counsel and deponent maintain their office.

Dated: July 07, 2017
New York, New York

/S/

SUSAN BARLOW

Index No.: 190195-17

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

FREDERICK G. BROWN and DIANA BROWN,

Plaintiff(s),

-against-

AMCHEM PRODUCTS, INC.,
n/k/a RHONE POULENC AG COMPANY,
n/k/a BAYER CROPSCIENCE INC., et. al.,

Defendants.

SUMMONS and COMPLAINT

WEITZ & LUXENBERG, P.C.
Attorneys for PLAINTIFFS
700 Broadway
New York, NY 10003
212-558-5500

To
Attorney(s) for

Service of a copy of the within
is hereby admitted.

Dated, July 07, 2017

Attorney(s) for

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X
FREDERICK G. BROWN and DIANA BROWN,

Plaintiff(s),

FULL CAPTION
RIDER

-against-

AMCHEM PRODUCTS, INC.,
n/k/a RHONE POULENC AG COMPANY,
n/k/a BAYER CROPSOURCE INC.,
AMERICAN BILTRITE INC.,
AURORA PUMP COMPANY,
BIRD INCORPORATED,
BLACKMER,
BW/IP, INC. AND ITS WHOLLY OWNED SUBSIDIARIES,
CBS CORPORATION, f/k/a VIACOM INC.,
successor by merger to
CBS CORPORATION, f/k/a
WESTINGHOUSE ELECTRIC CORPORATION,
CERTAINTIED CORPORATION,
CLEAVER BROOKS COMPANY, INC.,
DAP, INC.,
EATON CORPORATION, as successor -in-interest to
CUTLER-HAMMER, INC.,
FORD MOTOR COMPANY,
FOSTER WHEELER, L.L.C.,
GARDNER DENVER, INC.,
GENERAL ELECTRIC COMPANY,
GEORGIA PACIFIC LLC.,
GOODYEAR CANADA, INC.,
GOULD PUMPS LLC,
HONEYWELL INTERNATIONAL, INC.,
f/k/a ALLIED SIGNAL, INC. / BENDIX,
IMO INDUSTRIES, INC.,
KARNAK CORPORATION,
LEVITON MANUFACTURING CO., INC.,
OWENS-ILLINOIS, INC.,
PFIZER, INC. (PFIZER),
THE GOODYEAR TIRE AND RUBBER COMPANY,
U.S. RUBBER COMPANY (UNIROYAL),
UNION CARBIDE CORPORATION,
WARREN PUMPS, LLC,

Defendants.

-----X



NYSCEF - New York County Supreme Court

Confirmation Notice



This is an automated response for Supreme Court / Court of Claims cases. The NYSCEF site has received your electronically filed document(s) for:

FREDERICK G BROWN - v. - AMCHEM PRODUCTS, INC., et al

190195/2017

Assigned Judge: None Recorded

Documents Received on 07/07/2017 11:14 AM

Doc #	Document Type	Motion #
1	SUMMONS + COMPLAINT Does not contain an SSN or CPI as defined in 202.5(e) or 206.5(e)	

Filing User

Name: **SUSAN C. BARLOW**

Phone #: **212 558 5864**

Fax #:

E-mail Address:

Work Address:

sbarlow@weitzlux.com

**700 Broadway
New York, NY 10003**

E-mail Notifications

An e-mail notification regarding this filing has been sent to the following address(es) on
07/07/2017 11:14 AM:

BARLOW, SUSAN C. - sbarlow@weitzlux.com

NOTE: If submitting a working copy of this filing to the court, you must include as a notification page firmly affixed thereto a copy of this Confirmation Notice.

Hon. Milton A. Tingling, New York County Clerk and Clerk of the Supreme Court

Phone: 646-386-5956 Website: http://www.nycourts.gov/courts/1jd/suptctmanh/county_clerk_operations.shtml

NYSCEF Resource Center - EFile@nycourts.gov

Phone: (646) 386-3033 Fax: (212) 401-9146 Website: www.nycourts.gov/efile